

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

BKY No. 09-50779

Dennis E. Hecker,

Chapter 7

Debtor.

**NOTICE OF HEARING AND MOTION FOR ORDER
AUTHORIZING RULE 2004 EXAMINATIONS**

1. Randall L. Seaver, the Chapter 7 Trustee (the “**Trustee**”) in the above-referenced case, applies to the Court for authorization to conduct a Bankruptcy Rule 2004 examination of Continental Diamond/Certified Gold, and gives notice of hearing:

2. The Court will hold a hearing on this motion on August 13, 2009 at 10:00 a.m. before the Honorable Robert J. Kressel in Courtroom 8 West, 300 South Fourth Street, Minneapolis, Minnesota 55415, or as soon thereafter as counsel may be heard.

3. Any response to this motion must be filed and delivered no later than August 10, 2009 which is three (3) days before the time set for the hearing (excluding Saturdays, Sundays, and holidays), or filed and served by mail not later than August 4, 2009, which is seven (7) days before the time set for the hearing (excluding Saturdays, Sundays, and holidays). **UNLESS A RESPONSE OPPOSING THE MOTION IS TIMELY FILED, THE COURT MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This case was commenced as a voluntary Chapter 7 case on June 4, 2009. The case is now pending in this Court. This Court has jurisdiction over this application pursuant to 28 U.S.C. §§157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. This Application arises under Bankruptcy Rule 2004. This Application is filed under Local Rule 2004-1.

5. The entity for which Rule 2004 examination authority is sought is as follows and is expected to have the following information:

- a. Continental Diamond/Certified Gold, Inc. – On information and belief, the Debtor may have had transactions with this jeweler.

WHEREFORE, the Trustee requests that this Court enter an order pursuant to Bankruptcy Rule 2004 approving the Trustee's examination of Continental Diamond/Certified Gold.

**LEONARD, O'BRIEN
SPENCER, GALE & SAYRE, LTD.**

/s/ Andrea M. Hauser

Dated: July 29, 2009

By _____
Matthew R. Burton, #210018
Andrea M. Hauser, #207469
Attorneys for Randall L. Seaver, Trustee
100 South Fifth Street, Suite 2500
Minneapolis, Minnesota 55402-1216
(612) 332-1030
ahauser@losgs.com

VERIFICATION

I, Randall L. Seaver, the Trustee and moving party named in the foregoing notice of hearing and motion declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Dated: July 29, 2009

/e/ Randall L. Seaver

Randall L. Seaver

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

BKY No. 09-50779

In re:

Chapter 7

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Debtor.

UNSWORN CERTIFICATE OF SERVICE

I hereby certify that on July 29, 2009, I caused the following documents:

Notice of Hearing and Motion for Order Authorizing Rule 2004 Examinations and Order (proposed)

to be filed electronically with the Clerk of Court through ECF, and that ECF will send an e-notice of the electronic filing to the following:

- Patti H Bass ecf@bass-associates.com
- Bruce H. Carlson bruce.carlson@mlcfargolaw.com, tricia.fossen@mlcfargolaw.com
- Monica L. Clark clark.monica@dorseylaw.com
- Gordon B. Conn conn@kwgc-law.com
- Clinton E. Cutler ccutler@fredlaw.com, mdavis@fredlaw.com
- Stephen F Grinnell stephen.grinnell@gpmlaw.com
- Douglas W. Kassebaum dkassebaum@fredlaw.com, scharter@fredlaw.com
- Jeffrey D. Klobucar jklobucar@foleymansfield.com
- Connie Lahn connie.lahn@fmjlaw.com, Aong.Moua@fmjlaw.com
- Thomas Lallier tlallier@foleymansfield.com
- Joseph W. Lawver jlawver@messerlikramer.com, mnygaard@messerlikramer.com
- Nauni J. Manty ecf@mantylaw.com
- Michael L Meyer mlmeyer@ravichmeyer.com
- Cynthia A. Moyer cmoyer@fredlaw.com, cthomas@fredlaw.com
- Robert G. Parish rparish@faegre.com

- Jamie R. Pierce jpierce@hinshawlaw.com,
akulbeik@hinshawlaw.com;mpocock@hinshawlaw.com;kmoore@hinshawlaw.com
- Recovery Management Systems Corp claims@recoverycorp.com
- Craig E. Reimer creimer@mayerbrown.com,
samahdi@mayerbrown.com;srozen@mayerbrown.com;hroin@mayerbrown.com
- David E. Runck david.runck@fmjlaw.com, Aong.Moua@fmjlaw.com
- Randall L. Seaver rlseaver@fullerseaverramette.com, rseaver@ecf.epiqsystems.com
- Brad A Sinclair bsinclair@serklandlaw.com, crohr@serklandlaw.com
- Matthew A Swanson matthew.swanson@leonard.com, callie.sanford@leonard.com
- US Trustee ustpregion12.mn.ecf@usdoj.gov

I further certify that I caused a copy of the foregoing documents to be mailed by first class mail, postage paid, to the following:

Continental Diamond/Certified Gold, Inc.
1600 Utica Avenue South, Suite 130
Minneapolis, MN 55416-1593

Michael B. Lubic
Sonnenschein Nath & Rosenthal LLP
601 S Figueroa St Ste 2500
Los Angeles, CA 90017-5704

Nicholas N. Nierengarten
Gray, Plant, Mooty & Bennett
500 IDS Center
80 S 8th St
Minneapolis, MN 55402

Dennis E. Hecker
P.O. Box 1017
Crosslake, MN 56442

/e/ Stephanie Wood

Dated: July 29, 2009

Stephanie Wood
100 South Fifth Street, Suite 2500
Minneapolis, MN 55402
(612) 332-1030

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re:

BKY No. 09-50779

Dennis E. Hecker,

Chapter 7

Debtor.

ORDER FOR RULE 2004 EXAMINATIONS

This case is before the court on the Motion of Randall L. Seaver, Trustee on August 13, 2009, to allow him to conduct an examination pursuant to Federal Rule of Bankruptcy Procedure 2004 of Continental Diamond/Certified Gold, Inc.

Based on the files and records,

IT IS HEREBY ORDERED: The Trustee, Randall L. Seaver, may examine Continental Diamond/Certified Gold, Inc. pursuant to Federal Rule of Bankruptcy Procedure 2004.

Dated: _____

Robert J. Kressel
U.S. Bankruptcy Judge